IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

W/S Granite Road, 1500 ft. +/-

N of the c/l of Offutt Road

3024 Granite Road 2nd Election District 2nd Councilmanic District

Timothy L. Ball, et ux

Petitioners

\* BEFORE THE

ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 99-23-A

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Timothy L. Ball and Claudia Ball, his wife, property owners, for that property known as 3024 Granite Road in the Woodstock section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a pool to be located in the side yard, in lieu of the rear yard, in an R.C.2 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of



Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

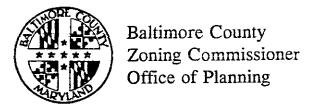
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this \_\_\_\_\_\_\_ day of August 1998 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (BCZR) to permit a pool to be located in the side yard, in lieu of the rear yard, in an R.C.2 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ZAWRÉNCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

August 13, 1998

Mr. and Mrs. Timothy L. Ball 3024 Granite Road Woodstock, Maryland 21163

RE: Petition for Administrative Variance

Case No. 99-23-A

Property: 3024 Granite Road

Dear Mr. and Mrs. Ball:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: Mr. Edward Galloway
Md. Pools
9515 Gerwig Lane, Suite 119
Columbia, Md. 21046



# Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at

3024 GRAWITE RL WOODSTOCKMUL 21163
Which is presently zoned RC2

This Petition shall be filed with the Dept. of Permits & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 (BCZR) TO PERMIT A POOL TO BE LOCATED IN THE SIDE YARD IN LIQUOF THE REAR YARD

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) SEE BACK

Property is to be posted and advertised as prescribed by Zoning Regulations.

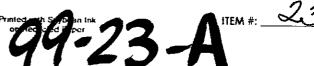
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			legal owner(s) of the property which is the subject of this Petition
Contract Perchaser/Lessee			Legat Owner(s)
		-	TIMOTHY L. Bonc
(Type or Print Name)			(Type or Bright Name)
Signature	*		Signature Pari
Address			(Type or Print Name)
City	State	Zipcode	Signature
Attorney for Petitioner			3024 GRANITE Pd 410-922-3352.
(Type or Print Name)			Address Phone No
Signature			City State Zipcode Name, Address and phone number of representative to be contacted
Address	Phone No.		Name  9515 GERLING LANE 40 995 -6600
	raone no.		Name 9515 GERMAN LANT. UM GAZ - LALTO
City	State	Zipcode	Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County this that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

Zoning Commissioner of Baltimore County





# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	3024	GRANITE	Ka.	
-	acipress Wood Stock	-	M.I	21163
· · · · · · · · · · · · · · · · · · ·	City		State	Zip Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or j	practical difficulty)	-	-	/
we Brac the prowe	ST FOR A	VARIANCE	Because C	& the Holding
The septic AND Sep	tic DESCR	ive 15 hou	ATION IMM	edrardy
Behwo the remor	The House	, the Pool	- CANNOT B	Monild There
Because of Houth D				
Away From this Area	CAN NOT	Be Build	in due to	Hugh WATER
TARIOS WE ARE AGEN	440 BUI	1 d 1 2 510C	ymp to T	te light
TABLES WE ARE ASKN Spe OFTH House	<u>'</u>		1	/
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information (signature)  (signature)  (type or print name)		(signature	udiale	d advertising fee and
STATE OF MARYLAND, COUNTY OF BALTI				
I HEREBY CERTIFY, this 15th day of of Maryland, in and for the County aforesaid, per		_		ary Public of the State
TIMOTHY L. BALL	<u> \$</u>	CLAUDIA	DALL	
the Affiants(s) herein, personally known or satisfithat the matters and facts hereinabove set forth a				
AS WITNESS my hand and Notarial Seal.	(		10	7
15 JUL 98		MMA	4. Ja	لبدا
date	NO 346	TARY PEBLIC	7 MAR 9 9	•
	Мус	ommission Expires	i	

99-23-A

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That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3024 GRANTE Pd
Weoposhock MA 21163 City State Zip Code
That based upon personal knowledge, the following are the facts upon which live base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
WE BASE the Regust FOR A VARIANCE BECAUSE OF the
Following: The Septicians Septic Reserve is Location I numed RATCH
Behins the leng of the House, the Pool commot be Build
Then Begave or Health Dept. Regularions The Rest of the Prop.
Away Fran this AREA CAN NOT BE Build IN BECAUSE OF High
WATER TABLES. WE ARE ASKING to BUILD IN SIDE YARD TO THE
Right of the House.
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.  (signature)  (signature)  (type or print name)
STATE OF MARYLAND, COUNTY OF BALTIMORE, 10 Will
I HEREBY CERTIFY, this
TIMOTHY L. BALL & CLOUDED BALL
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal.
date 15 July 8 Notary Walls
My Commission Expires: 7 MAn 99
AS WITNESS my hand and Notarial Seal.  15 Jul 98  Notaria Valle  My Commission Expires: 7 MAn 99

99-23-A

# RYLLING TO THE PARTY OF THE PAR

# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 3024 GRAVITE Rd Woodstock MA 21163
which is presently zoned RC?

This Petition shall be filed with the Dept. of Permits & Development Management
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s). 400,1 (BCZR) TO FERMIT A POOL TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee		I/We do solemnly declare and affirm, under the penalties of perjury, that hwe are the legal owner(s) of the property which is the subject of this Petition  Legal Owner(s).
(Type or Print Name)	4, ,,,	TIMOTHY C. BALL  (Type or Print Netrie)
Signature		CLAUDIA BALL
Address		(Type or Print Name)
City State	Zipcode	Signature
Attorney for Petitioner		4
(Type or Print Name)		3024 GRANITE Rd 40-922-3352 Address Phone No
Signature		City State Zipcode Name, Address and phone number of representative to be contacted
Address	Phone No	Name (Ma Rose Co) 9815 Goeurg Lane 416-995-6600
Ony State	Zipcode	Address Phone No

Coning Commissioner of Baltimore County



EVIEWED BY:

ESTIMATED POSTING DATE

7/50 7/76





ITEM #: 23

# EXAMPLE 3 Zoning Description

3 COPIES

<u>Three</u> copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR <u>3024 GRANITE RD.</u> (address)
Beginning at a point on theside ofside of
name of street on which property fronts) which is 50 (number of feet of right-of-way width)
name of street on which property fronts) (number of feet of right-of-way width)
wide at the distance of 1500 NORTH of the (number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street OFFUTT PD (name of street)
which iswide. *Being Lot # <u>39</u> , (number of feet of right-of-way width)
Block,Section # in the subdivision of FIELDS OF _HARVEST (name of subdivision)
as recorded in Baitimore County Plat Book #47, Folio #_70_,
containing 2:18 Ac Also known as (property address)
and located in the 2_Election District, 2: Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_\_, Folio \_\_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

1EM#23

60.00 CHECK Raitimore County, Maryland 1,0502 CAGULER JRYC JAR DRIMER 5 Hiscellandis Gash Receipt 8ipt # 053152 7/15/11/08 11:57:79 CASHIER'S VALIDATION ACTUAL, CR MI. 054.91 7/15/1998 Redelint # No. C56191 FOR 3024 GRAWITE RD (ADMINAR.) 12001-6150 MEM# 23 AMOUNT \$ 500 00 YELLOW · CUSTOMER FROM: MPM CONST. CO. \_ ACCOUNT\_\_ BALTIMORE COUNTY, MARYL! OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT PINK - AGENCY OID- HOM, WR. DISTRIBUTION WHITE - CASHIER

A-83-PP

#### **CERTIFICATE OF POSTING**

RE: Case No.: 99-23-A

Petitioner/Developer: Timothy Ball

Clo Manyland Pools Inc.

Date of Hearing/Closing: 8-10-98

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3024 Granite Rd.

Woodstock, MD 21163

The sign(s) were posted on \_\_\_\_

Sincerely.



(Signature of Sign Poster and Date)

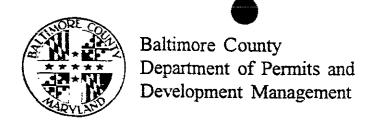
(Printed Name)

SHANNON-BAUM SIGNS INC. 105 COMPETITIVE GOALS DR. ELDERSBURG, MDc, 21784

> 410-781-4100 (Telephone Number)

#### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case I	Number 99- 23 -A Address 3024 GKANITE RD.
	ct Person: REGULO TANGUILIG Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing	Date: 7-15-98 Posting Date: 7-26-98 Closing Date: 8-10-99
Any co	ontact made with this office regarding the status of the administrative variance should be h the contact person (planner) using the case number.
1.	<u>POSTING/COST:</u> The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2.	<u><b>DEADLINE:</b></u> The closing date is the deadline for an occupant or owner within 1,000 feet 0to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3.	ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4.	<u>POSSIBLE PUBLIC HEARING AND REPOSTING:</u> In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
	(Detach Along Dotted Line)
Petitic	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case I	Number 99- 23 -A Address 3024 GRANITE RD
Petitio	ner's Name TIMOTHY BALL Telephone 410 - 922 - 3357
	ng Date:
Wordi	ng for Sign:VARTANCE TO PERMIT A POOL TO BE LOCATED IN THE
	FIDE YARD IN LIEU OF THE REQUIRER REAR YARD



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

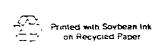
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 23
Petitioner: TIMOTHY & CLAUDIA BACK
Location: 3024 GRANITE RJ WOODStock MO. 21163
PLEASE FORWARD ADVERTISING BILL TO:
NAME: MARYLAND POOLS INC
ADDRESS: 9515 GERWIG LANE 5-119
Columbia MD - 31046
PHONE NUMBER: 410-995-6610

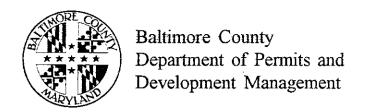
AJ:ggs

(Revised 09/24/96)



99-23-A

	prepared by: Scale of Drawing: 1°=
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	North date:
SEWER:   PITATE WATER:	
1'=200' scale map#: Zoning: Lot size: acreage square feet	
LOCATION INFORMATION Election District: Councilmanic District:	
Vicinity Map scale: 1'=1000'	
	lot#,section#
riance Special Hearing	Plat to accompany Petition for Zoning Variance



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

August 5, 1998

Mr. Edward Galloway Maryland Pools 9515 Gerwig Lane, Suite 119 Columbia, MD 21046

RE: Item No.: 23

Case No.: 99-23-A

Location: 3024 Granite Rd.

Dear Mr. Galloway:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 15, 1998.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

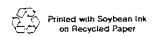
Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures





Parris N. Glendening Governor

David L. Winstead Secretary

Parker F. Williams

Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 7.24.97
Item No. 023

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

10

f. f. Hell Ronald Burns, Chief

**Engineering Access Permits** 

Division

LG

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE**: July 28, 1998

TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT**: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 19, 21 and 23

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3480.

Section Chief: Claffy W- La

AFK/JL

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 10, 1998

Department of Permits & Development

Management

FROM:

Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for August 3, 1998

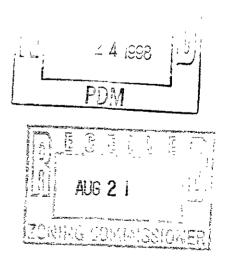
Item Nos. 019, 021, 022, 023, 024,

and 029

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

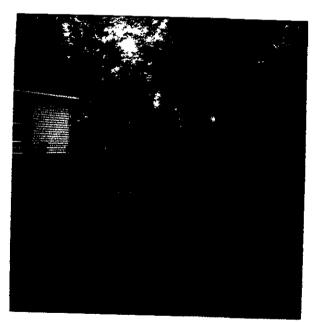
cc: File



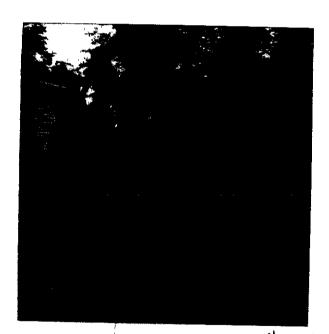


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99.23-A

